

EXHIBIT C

AFFIDAVIT

THE STATE OF TEXAS :

COUNTY OF DALLAS :

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared SERGIO ARCACHA SMITH, being of sound mind and body and over the age of twenty-one (21), who, after first being by me duly sworn, upon his oath deposes and says:

"During the weekend of February 4, 1967, I was informed that some men from New Orleans wanted to talk with me. I did not know what they wanted to talk to me about, but my wife informed me that a friend called and informed her that two men from the District Attorney's office in New Orleans wanted to talk to me. I was not home at the time, but was due to arrive shortly. The investigators informed our friends that they were on the way over to my house.

"Upon my arrival, in the afternoon, my wife informed me that she had seen the men in front of the house. I saw two men in a red car in front of my house as I looked through the picture window in the living room of my house. I walked outside and waited for the men to approach. However, instead of stopping, the men nodded at me and then sped away in the car.

"I did not hear from these two men, or anyone else from the District Attorney's office of New Orleans until about February 20, 1967. I later learned, after the weekend incident of February 4, 1967, that the two men had been making inquiries about me and my family. I could not understand this action.

"On or about February 20, 1967, I received a telephone call, at my home, from one James L. Alcock, who informed me that he was from the District Attorney's office in New Orleans. He further informed me that the purpose of the call was to request that I

go to New Orleans and to be questioned by Mr. Jim Garrison, District Attorney for New Orleans. I informed him that I was working, that my wife was in the hospital and that I could not go to New Orleans at this time. I further informed him that as a result of the strange activities of the weekend of February 4, 1967, I had informed the Federal Bureau of Investigation (F. B. I.) officers and the Dallas Police Department officers of everything that had transpired. Mr. Alcock appeared to sound alarmed and told me that it was not necessary for me to contact the F. B. I. At the conclusion of our conversation he asked me not to tell the F. B. I. too much.

"On February 24, 1967, I received another telephone call from the same James L. Alcock who once again requested that I travel to New Orleans to answer questions. He indicated to me that if I did not cooperate that a "bad press" was going to result concerning me. I once again informed him that I was unable to go to New Orleans, but that I was willing to talk with him in Dallas, Texas. I asked him to call on the next day, Saturday, February 25, 1967, so that we could discuss the matter further. I called the F. B. I. and the Dallas Police Department and informed them what had transpired.

"On February 25, 1967, James L. Alcock called at about 5:30 o'clock p. m. and spoke with my wife and informed her that he was in Dallas and would like to speak with me. As I was not at home, my wife informed them that I was not at home, but would return shortly. She told them I would probably be home in half an hour. Mr. Alcock indicated that he would call at a later time. Mr. Alcock called again at approximately 6:30 o'clock p. m., but I was still not at home.

"Upon my arrival at home, and being informed by my wife of the pending telephone call, I called the Dallas Police Department, who, a short time later sent two officers to my home. Mr. James L. Alcock called again at approximately 9:15 o'clock p. m., and one of the police officers answered the telephone. He informed Mr. Alcock who he was and requested of Mr. Alcock information pertaining to his questioning of me. Mr.

Alcock, the police officers, and I agreed to meet at police headquarters in downtown Dallas.

"Upon arrival at the Dallas Police Headquarters, I was taken to a conference room. After a short time, Mr. Alcock and a Mr. William Gurvich arrived. The two men refused to ask me any questions in the presence of the police officers of Dallas, Texas. Mr. Gurvich had a tape recording machine with him which he placed on the table to record our conversation. Mr. Alcock, after talking with me, agreed to allow a friend of mine to be present while I was being questioned, but Mr. Gurvich refused to allow this. I refused to talk with the two men alone, and I informed them that I would answer any questions that they wished to ask me provided either the officers of the Dallas Police Department were present, a member of the District Attorney's staff in Dallas, Texas, or my attorney.

"On Sunday, February 26, 1967, a press release was issued wherein Mr. Alcock and Mr. Gurvich indicated that I had refused to talk to them about their investigation of the assassination of President Kennedy in 1963. This news report created so much interest in me that newsmen, television men, cranks, unresponsive callers and others continuously called at my home and requested me to comment. I did not know exactly what to do.

"On Monday, February 27, 1967, at approximately 7:00 o'clock p. m., upon the advice of a friend, and with his help, I held a news conference and made the statement which is attached as Exhibit No. 1. I informed the world, through the media of the newspaper and television, that I was willing to talk with anyone from the District Attorney's office in New Orleans about the investigation of Mr. Jim Garrison, provided either the police or my attorney were present. I did not have an attorney at this time.

"On Friday, March 3, 1967, I employed Mr. Frank P. Hernandez, of the Dallas Bar, to represent me in this matter.

"On Tuesday, March 7, 1967, my attorney called Mr. Jim Garrison's office in New Orleans to inform him that he was representing me and to tell him that I would answer any questions provided he was present at the time of the questioning. Mr. Gurvich, who identified

himself as Mr. Garrison's Chief Executive Aide, indicated that Mr. Garrison was not available but that he would convey the message. Mr. Gurchich indicated that my attorney would be contacted in a short time.

"On Monday, March 13, 1967, my attorney wrote Mr. Jim Garrison and informed him that he would like to know whether or not Mr. Garrison intended to talk with me, and, if so, when it would be convenient to talk with me. This letter was sent by Mr. Hernandez, Certified Mail, Return Receipt Requested, and was delivered and accepted by Mr. Garrison's office by a Sgt. T. Duffy on March 15, 1967, as is indicated on page three of Exhibit No. 2. I have not had a reply to this letter, nor has my attorney received a reply to this letter.

"I have attempted to cooperate with the investigators, with Mr. Jim Garrison, and with everyone connected with the investigation of the New Orleans District Attorney. However, the representatives of the New Orleans District Attorney's office have refused to talk with, or question, me in the presence of my attorney. I do not believe this to be an unreasonable condition.

"I am still willing to cooperate with the District Attorney's office in New Orleans, provided any investigation is conducted in Dallas, Texas, and done in the presence of my attorneys.

"I am presently unemployed. I had, previous to being involved in this investigation, resigned from my job to enter into a development in Spain. However, because of the vast publicity concerning me, this project has failed to develop. I am the father of five children and they all live with me and my wife in Dallas, Texas.

"I fear going to New Orleans, not because of anything that I might be questioned about, but because of the danger I will be subjected to. I am now sufficiently aware that Mr. Garrison is a dangerous man who would stop at nothing to achieve his ends, including the possibility of turning me over to pro-Castro agents or, directly or indirectly, bringing about my death.

"No one from the District Attorney's office in New Orleans, at any time, indicated to me that I was wanted for questioning in regards to an alleged burglary of a munitions bunker located in Houma, Louisiana. I was not informed that I was being sought for any alleged conspiracy to commit simple burglary until that charge was filed by Mr. James L. Alcock, Assistant District Attorney in New Orleans on March 31, 1967."

Sergio Arcacha Smith
SERGIO ARCACHA SMITH, Affiant

SUBSCRIBED AND SWORN TO BEFORE ME by the said SERGIO

ARCACHA SMITH on this 22nd day of May, 1967, to certify which witness
my hand and seal of office.

Benjamin H. Smith
Notary Public in and For Dallas County,
Texas

My Commission Expires:

June 1, 1967.